

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

NETSCAPE COMMUNICATIONS CORP.,)	
)	
Plaintiff,)	Civil Action No. 1:09-cv-225-TSE-TRJ
)	
v.)	
)	
VALUECLICK, INC., MEDIAPLEX, INC.,)	
FASTCLICK, INC., COMMISSION)	
JUNCTION, INC., MEZIMEDIA, INC.,)	
and WEB CLIENTS, L.L.C.,)	
)	
Defendants.)	

**JOINT MEMORANDUM IN SUPPORT OF MOTION TO EXTEND
JURISDICTIONAL DISCOVERY BY THREE DAYS**

For the reasons stated below, the parties jointly respectfully request that this Court extend the deadline for jurisdictional discovery by 3 days. In its April 24, 2009, Ruling from the bench, the Court permitted the parties to conduct jurisdictional discovery over a 30 day period. The deadline for jurisdictional discovery is currently set at May 26, 2009. The Court also permitted the parties to file briefs on outstanding jurisdictional issues by June 5, 2009. With the exception of defendants ValueClick, Inc. and FastClick, Inc., all parties have produced documents within the current jurisdictional discovery and have or will produce Rule 30(b)(6) witnesses within the current jurisdictional discovery period.

On May 19, 2009, the Court entered an Order resolving the parties' dispute over whether plaintiff Netscape Communications Corporation ("Netscape") was permitted to take discovery from defendants ValueClick, Inc. and FastClick, Inc. during the jurisdictional discovery period, finding that Netscape's requested jurisdictional discovery from ValueClick, Inc., and FastClick, Inc. was proper. The parties respectfully request that the deadline for production of jurisdictional

discovery from defendants ValueClick, Inc. and FastClick, Inc. be extended by three days, from May 26, 2009, to May 29, 2009. The three-day extension is requested to accommodate schedules of witnesses and attorneys as well as to allow the five other parties to focus on their remaining jurisdictional discovery so that it is completed by the original May 26, 2009, deadline. The discovery taken after the May 26, 2009, deadline will consist of (1) a rolling document production from ValueClick and FastClick to begin on May 27, 2009, and (2) Rule 30(b)(6) depositions of ValueClick and FastClick to be taken on May 29, 2009. The three-day extension will not affect the briefing schedule on jurisdictional issues that is set to begin on June 5, 2009. The parties respectfully submit this request jointly.

Date: May 22, 2009

Respectfully submitted,

/s/ Robert L. Burns

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Inc., Commission Junction, Inc.,
MediaPlex, Inc., Mezimedia, Inc., and
Web Clients LLC**

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of May, 2009, I will electronically file the foregoing **Joint Memorandum In Support Of Motion To Extend Jurisdictional Discovery By Three Days** with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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